

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 RUSS B. COHEN,)
)
 Defendant.)

Case No. 005-0424-03-CR-W-ODS

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Pending before the Court is Magistrate Judge Sarah W. Hays' Report and Recommendation that Defendant's Motion to Dismiss be denied. (Doc. # 31). Defendant has not filed any objections to the Report and Recommendation and the time for doing so has passed. Having reviewed the record de novo, the Court adopts the Report and Recommendation of the United States Magistrate Judge as the Order of the Court. Therefore, Defendant's Motion to Dismiss is denied. IT IS SO ORDERED.

DATE: September 5, 2006

/s/ Ortrie D. Smith
ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT COURT